

EXHIBIT A

THIS IS A MAJOR NON-JURY MATTER.
AN ASSESSMENT OF DAMAGES HEARING IS REQUIRED.



ALEXANDER B. GIACOBETTI, ESQUIRE
agiacobetti@abglaw.net
I.D. No. 10120
Two Penn Center, Suite 1205
1500 JFK Boulevard
Philadelphia, PA 19102
(215)563-6800

Attorney for Plaintiff

MELODY McALISTER
1012 Wolf Street
Philadelphia, PA 19148

COURT OF COMMON PLEAS
PHILADELPHIA COUNTY

VS.

NATIONAL RAILROAD
PASSENGER CORPORATION
also known as AMTRAK
2955 Market Street
Philadelphia, PA 19104

TERM, 2023

NO.

COMPLAINT-CIVIL ACTION
2S - Premises Liability, Slip and Fall

NOTICE

You have been sued in court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after the complaint and notice are served, by entering a written appearance personally or by attorney and filing in writing with the court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the court without further notice for any money claimed in the complaint or for any other claim or relief requested by the plaintiff. You may lose money or property or other rights important to you. **YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER. IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.**

LAWYER REFERENCE SERVICE
One Reading Center, Phila., PA 19107
(215) 238-1701

AVISO

Le han demandado a usted en la corte. Si usted quiere defenderse de estas demandas expuestas en las paginas siguientes, usted tiene veinte (20) dias de plazo al partir de la fecha de la demanda y la notificacion. Hace falta asentar una comparencia escrita o en persona o con un abogado y entregar a la corte en forma escrita sus defensas o sus objeciones a las demandas en contra de su persona. Sea medidas y puede continuar la demanda en contra suya sinm previo aviso o notificacion. Ademas, la corte puede decidir a favor del demandante y requiere que usted cumpla con todas las provisiones de esta demanda. Usted puede perder dinero o sus propiedades u otros derechos importantes para usted. **LLEVE ESTA DEMANDA A UN ABOGADO INMEDIATAMENTE. SI NO TIENE ABOGADO O SINO TIENE EL DINERO SUFICIENTE DE PAGAR TAL SERVICIO, VAYA EN PERSONA O LLAME POR TELEFONO A LA OFICINA CUYA DIRECCION SE ENCUENTRA ESCRITA ABAJO PARA AVERIGUAR DONDE SE PUEDE CONSEGUIR ASISTENCIA LEGAL.**

SERVICIO DE REFERENCIA LEGAL
One Reading Center
Philadelphia, PA 19107
(215) 238-1701

1. Plaintiff is an individual, a citizen and resident of the Commonwealth of Pennsylvania, residing therein at 1012 Wolf Street, Philadelphia.

2. Defendant, National Railroad Passenger Corporation (hereinafter “Amtrak”) is a corporation duly organized and existing under and by virtue of the laws of the District of Columbia and maintains an office in Philadelphia, Pennsylvania at the William H. Gray III 30th Street Station located at 2955 Market Street.

3. At all times material hereto, Defendant Amtrak owned, and/or possessed and/or operated and/or controlled and/or maintained and/or was responsible for the premises known as William H. Gray III 30th Street Station as well as the service streets and roads located therein.

4. At all times material hereto, Defendant Amtrak acted or failed to act directly and/or by and through its agents, servants, workmen and/or employees, who were then and there acting within the course and scope of their authority and in the course of their employment with Defendant, in furtherance of Defendant’s business, and on behalf of Defendant.

5. On or about Tuesday, August 30, 2022, while Plaintiff was a business invitee and/or licensee and/or lawful pedestrian, she was caused to stumble and fall after stepping into a hole/depression located in the street that runs parallel to Schuylkill Avenue, Philadelphia, Pennsylvania, and is designated as the 30th Street Station Passenger Pick Up and Drop Off Area.

6. The accident aforementioned was caused solely by reason of the negligence of the Defendant herein, acting directly and/or by and through its agents, servants, workmen and/or employees, and was due in no manner whatsoever to any act or failure to act on the part of the Plaintiff herein.

7. Said Defendant was responsible for the proper maintenance of the aforedescribed street surface and was responsible to keep the said premises safe for pedestrians, such as Plaintiff, who come upon the premises.

8. The negligence of the Defendant, acting directly and/or by and through its agents, servants, workmen and/or employees, consisted of the following:

- (a) failure to inspect the aforescribed street surface;
- (b) creating a hazardous and/or dangerous condition;
- (c) allowing a hazardous and/or dangerous condition to exist;
- (d) failure to discover, remove, and/or eliminate a hazardous and/or dangerous condition in or about the aforescribed area;
- (e) failure to warn Plaintiff of the hazardous and/or dangerous condition of the aforescribed area;
- (f) failure to barricade and/or cordon-off the aforescribed area; and
- (g) failing to provide and maintain an unobstructed and safe route of travel for pedestrians, including Plaintiff.

9. As a result of the accident aforementioned, Plaintiff sustained physical and psychic injuries including, but not limited to, injury to her right foot, right ankle and right leg, an avulsion fracture of her right fifth metatarsal bone; and anxiety and depression as well as shock and injury to her nerves and nervous system, some or all of which injuries Plaintiff has been advised are or may be permanent in nature.

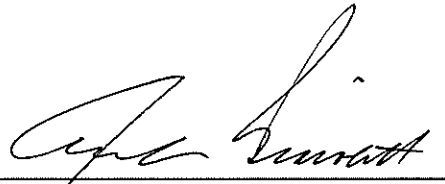
10. As a result of the accident aforementioned, Plaintiff has undergone great physical pain and mental anguish, and she may or will continue to endure the same for an indefinite time in the future, to her great detriment and loss.

11. As a result of the accident aforementioned, Plaintiff has suffered a loss and depreciation of her earnings and earning capacity, and she may or will continue to suffer such loss and depreciation for an indefinite time in the future, to her great detriment and loss.

12. As a result of the accident aforementioned, Plaintiff has been unable to attend to her usual and daily duties and occupation, and she may or will continue to be unable to attend to the same for an indefinite time in the future, to her great detriment and loss.

13. As a result of the accident aforementioned, Plaintiff has been obliged to expend large sums of money for medicines and medical care and treatment in an effort to affect a cure for her aforesaid injuries, and she may or will be obliged to continue to expend such sums of money for the same purposes, for an indefinite time in the future, all to her great detriment and loss.

WHEREFORE, Plaintiff claims of the Defendant herein a sum in excess of that amount requiring submission of this matter to arbitration.

A handwritten signature in black ink, appearing to read 'Alex B. Giacobetti', is written over a horizontal line.

ALEXANDER B. GIACOBETTI, ESQUIRE
Attorney for Plaintiff

VERIFICATION

MELODY McALISTER hereby states that she is the Plaintiff herein and that the facts set forth in the foregoing Complaint - Civil Action are true and correct to the best of her knowledge, information and belief, and are based upon information which she has furnished her counsel and on information which has been gathered by her counsel in the preparation of the lawsuit.

The language in the Complaint is that of counsel, not Plaintiff. Plaintiff has read the Complaint, and to the extent that it is based upon information which she has given to her counsel, it is true and correct to the best of her knowledge, information and belief.

To the extent that the content of the Complaint is that of counsel, Plaintiff has relied upon counsel in making this Verification. This Verification is subject to 18 Pa.C.S. §4904 which provides for certain penalties for making false statements.


MELODY McALISTER